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EXAMINER	
ROSWELL, MICHAEL	

ART UNIT	PAPER NUMBER
2173	

NOTIFICATION DATE	DELIVERY MODE
10/21/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	09/441,388	ACKLEY ET AL.	
	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *27-29,31-35,38-40,42-46 and 49-56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *27-29,31-35,38-40,42-46 and 49-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *20080710*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 27-29, 31-35, 38-40, 42-46 and 49-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,119,152 (Carlin et al), "Domain Names - Concepts and Facilities" (RFC 1034) and Lowery et al (US Patent 5,894,554), hereinafter Lowery.

Referring to claims 27 and 38, Carlin discloses in column 2: lines 10-38 a multi-provider online sales system, wherein a plurality of service providers are each allocated a subset of subscriber features and a customized user interface. Figures 3a-3j illustrate the user interface provided by the multi-provider online sales system, which allows each service provider to build a customized sales interface. In column 5: lines 16-42, Carlin further discloses that each subscriber of a service provider sees the associated online service as independent even though the server providing the interface is maintained by the multi-provider online sales system. In column 1: lines 19-27, Carlin explains that online services can operate over a TCP/IP network. This embodiment would further require that each sales interface and the host computer be located at a unique network address. Carlin fails to specifically disclose, though, that the sales interfaces operate at different domains. However, one of ordinary skill in the art would have been motivated to map each interface to a different domain because of Carlin's suggestion in column 8: lines 54-56, which says that it should appear to the subscriber that he or she is

connected to an online service that is administered by that service provider. One method for providing such an appearance is through the use of subdomains. RFC 1034, published by the Network Working Group in 1987, describes how the domain hierarchy works on page 8:

> A domain is identified by a domain name, and consists of that part of the domain name space that is at or below the domain name which specifies the domain. A domain is a subdomain of another domain if it is contained within that domain. This relationship can be tested by seeing if the subdomain's name ends with the containing domain's name. For example, A.B.C.D is a subdomain of B.C.D, C.D, D, and " ".

Each service provider in Carlin's invention can thus be a subdomain of the domain operated by the multi-provider online sales system. If, for example, the primary domain was multi-provider.com, a plurality of service providers could be mapped to provider1.multi-provider.com, provider2.multi-provider.com, and so on. The service providers' interfaces can then be operated by a single sever while creating the impression that they are operated by unique domains. Subdomains, however, need not necessarily be operated by a single server. After all, yahoo.com and google.com are both subdomains of the .com domain, but are operated by different servers. Accordingly, each service provider can have its own subdomain that is operated by a unique server. For example, site1.provider1.multi-provider.com and site2.provider1.multi-provider.com can be operated by a server that is separate from the one that operates provider1.multi-provider.com and provider2.multi-provider.com. Links can then be created from pages on one server to pages on another server wherein both sets of pages are mapped to the same parent domain. The examiner thus submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a hierarchy of domains and subdomains as taught by RFC 1034 in combination with the teachings of Carlin so as to anticipate the claimed invention. As suggested by Carlin, such a combination would have been advantageous because it would allow the multi-provider online sales system to

maintain the impression that each sales interface is operated by its respective service provider and not by a single common entity.

Carlin and RFC 1034 fail to explicitly teach a first member server at a fourth network address to operate the first set of pages, and a second member server at a fifth network address to operate a second set of pages.

Lowery teaches a multi-server architecture similar to that of Carlin and RFC 1034. Furthermore, Lowery teaches a first member server at a fourth network address to operate the first set of pages, and a second member server at a fifth network address to operate a second set of pages, taught as the use of multiple page servers to handle page requests, at col. 2, lines 20-35 and seen in Fig. 4.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Carlin, RFC 1034 and Lowery before him at the time the invention was made to modify the sales system of Carlin and RFC to include the multiple page servers of Lowery. One would have been motivated to make such a combination for the obvious advantage of releasing the Web server (sales server) to process other requests. See Lowery, col. 2, lines 25-29.

Referring to claims 28 and 39, the teachings of RFC 1034 are all associated with the Domain Name System (DNS). The mapping of different sites is thus performed via DNS mapping.

Referring to claims 29 and 40, Carlin discloses in Table 1 a plurality of services that can be offered via the customized user interfaces, and are inherently presented on different pages linked by the menu structure illustrated in Figure 3j.

Referring to claims 31, 32, 42, and 43, Carlin and RFC 1034 fail to explicitly disclose that the first sales interface includes elements that are also included in the first set of pages and that the second sales interface includes elements that are also included in the second set of pages. However, the examiner submits that it is notoriously well known in the state of the art that pages mapped to the same domain commonly reuse graphical interface elements such as headers, banners, menus, links, and backgrounds so as to maintain a common look and feel when navigating amongst pages. The examiner takes OFFICIAL NOTICE of this teaching. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include common interface elements among the first and second sales interfaces and their respective sets of pages in order for the multi-provider online sales system to maintain the impression that each sales interface and its associated pages is operated by its respective service provider.

Referring to claims 33 and 44, Carlin and RFC 1034 fail to explicitly disclose that sales interfaces include interface elements comprising at least part of their respective domain names. However, the examiner submits that it is notoriously well known in the state of the art that parts of the domain names are typically indicative of the respective service provider's name (e.g. Amazon.com), and are thus very commonly included in sales interfaces. The examiner takes OFFICIAL NOTICE of this teaching. Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include part of the domain name in a user interface as a mechanism for associating the domain name with the name of the service provider. Such an association makes it easier for users to remember a network address and navigate to a service provider's sales interface.

Referring to claims 34, 45 and 49, Carlin explains in column 2: lines 10-20 that the invention is a multi-provider on line service allowing a plurality of service providers to uniquely configure the appearance of their respective user interfaces. Each of these service providers can inherently belong to different legal entities.

Referring to claims 35 and 46, as discussed above, Carlin and RFC 1034 disclose a host server and a plurality of sales interfaces that provide the impression that they are being operated by different entities. In Figures 3a-3j, Carlin illustrates a customization interface responsive to user input to define the sales interfaces. As mentioned above, Carlin explains in column 8: lines 54-56, that from the subscriber's standpoint, it should appear that he/she is connected to an online service which is administered by that service provider. Additionally, Carlin explains in column 4: lines 37-51 that service providers can upload data for access solely to its own subscribers. Therefore, it is implied that the customization interface is operative to provide different headers for each sales interface.

Carlin and RFC 1034 fail to explicitly teach a first member server at a fourth network address to operate the first set of pages, and a second member server at a fifth network address to operate a second set of pages.

Lowery teaches a multi-server architecture similar to that of Carlin and RFC 1034. Furthermore, Lowery teaches a first member server at a fourth network address to operate the first set of pages, and a second member server at a fifth network address to operate a second set of pages, taught as the use of multiple page servers to handle page requests, at col. 2, lines 20-35 and seen in Fig. 4.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Carlin, RFC 1034 and Lowery before him at the time the invention was made to

modify the sales system of Carlin and RFC to include the multiple page servers of Lowery. One would have been motivated to make such a combination for the obvious advantage of releasing the Web server (sales server) to process other requests. See Lowery, col. 2, lines 25-29.

Regarding claim 50, the naming conventions of RFC 1034 teaches the first domain including a domain name for the first member server that includes a subdomain name for the sales server that includes a subdomain name for the first user interface, and wherein the second domain includes a domain name for the second member server that includes a subdomain name for the sales server that includes a domain name for the second user interface.

Regarding claim 51, the use of registration processes to make online interactions and transactions more secure are notoriously well known in the art, and would be obvious to include in any system incorporating sales or auctions. The examiner takes OFFICIAL NOTICE of these teachings.

Regarding claim 52, Carlin and RFC 1034 teach access to a sales/auction server without the use of member servers.

Regarding claim 53, Applicant's own specification admits that "Internet auction systems are well known" (page 1). As such, the sales server of Carlin is analogous to an auction server, and the examiner contends that as claim 27 states, "the first sales interface includes links to a first set of pages not operated by the sales server but being mapped to the first domain", the

cited limitation inherently teaches the first set of pages being used to access the first sales interface.

Regarding claim 54, Applicant's own specification admits that "Internet auction systems are well known" (page 1). As such, the sales interface of Carlin is analogous to an auction interface, and therefore receiving a bid from a user is inherent in the sales/auction interface of Carlin.

Regarding claims 55 and 56, as the sales/auction servers have been disclosed in claim 27 to "operate the first and second sales interfaces", it is inherent that the auction server generates the first sales interface, and that the interface resemble the first set of pages, disclosed to be linked to the first interface.

Response to Arguments

Applicant's arguments filed 10 July 2008 have been fully considered but they are not persuasive.

With respect to claim 27, Applicant argues that Carlin fails to teach "'a sales server…that operates the first and second sales interfaces,' the 'sales server' being 'operative to create the impression that the sales interfaces are being operated by different domains.' In addition, 'the first sales interface includes links to a first set of pages not operated by the sales server…and the second sales interface includes links to a second set of pages not operated by the sales server.' Finally, claim 27 requires 'a first member server…to operate the first set of pages', and 'a second member server...to operate the second set of pages.'"

The examiner notes that the Lowery reference was cited to teach “a first member server…to operate the first set of pages”, and “a second member server...to operate the second set of pages," as claimed.

With respect to the remaining arguments, the examiner refers Applicant to the Decision on Appeal by the Board of Patent Appeals and Interferences, dated 21 September 2007 that states:

> Based on our findings related to the teachings of Carlin, we disagree with Appellants that service providers 16 in communication with host 12 depicted in Figure 1 are different from the claimed first and second sales terminals operated by a sales server. Each service provider is a sales interface (FF 3) which, based on the fact that it communicates on TCP/IP networks (FF 2) and as argued by the Examiner (Answer 8), has its corresponding network address. In other words, a corresponding network address must exist for each terminal so that the communications intended for the terminal may be routed to the corresponding terminals (FF 4 & 5).
>
> We also disagree with Appellants that the functions performed by host 12 of Carlin are not distributable over a network of computers (Br. 11). The function of host 12 is described in Carlin as providing the on-line services offered by the service providers to the subscribers (FF 5-7). In that regard, Carlin provides for a host that may itself be a computer or a network of computers (FF 6). In fact, host 12 manages or operates the unique on-line services available on each service provider (FF 4) while giving the impression that the service providers are being operated by different domains (FF 5). Therefore, the Examiner has properly combined Carlin and RFC 1034 based on what they teach and suggest to one of ordinary skill in the art.

Therefore, based on the Decision by the Board of Patent Appeals and Interferences, and the similar nature of the arguments in the remarks of 10 July 2008, the examiner maintains the rejection of claim 27 over the Carlin reference.

With additional respect to the Lowery reference and the claimed “a first member server…to operate the first set of pages”, and “a second member server...to operate the second set of pages," the examiner maintains that Lowery teaches a first member server at a fourth network address to operate the first set of pages, and a second member server at a fifth

network address to operate a second set of pages, taught as the use of multiple page servers (member servers) to handle page requests, at col. 2, lines 20-35 and seen in Fig. 4. And that it would have been obvious to one of ordinary skill in the art, having the teachings of Carlin, RFC 1034 and Lowery before him at the time the invention was made to modify the sales system of Carlin and RFC 1034 to include the multiple page servers of Lowery. One would have been motivated to make such a combination for the obvious advantage of releasing the Web server (sales server) to process other requests. See Lowery, col. 2, lines 25-29.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571)272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tadesse Hailu/
Primary Examiner, Art Unit 2173

Michael Roswell
10/9/2008